EASTERN RESEARCH GROUP, INC.

MEMORANDUM

TO: Rick Crume, U.S. Environmental Protection Agency (EPA),
Office of Air Quality Planning Standards (OAQPS), (MD-13)

FROM: Susan Radomski, Eastern Research Group (ERG), Morrisville

DATE: March 3, 1998

SUBJECT: Draft Summary of February 5, 1998 Meeting of the Industrial Combustion Coordinated Rulemaking (ICCR) Incinerator Work Group (IWG)

1.0 INTRODUCTION

- The primary purpose of the meeting was to prepare the status report presentation for the February Coordinating Committee meeting and discuss subteam progress with respect to subcategory definitions, the ICR and emission data review, model plants and defining the MACT floor. Other objectives included the discussion of guidance on model plants, economics analyses, the Regulatory Alternatives Paper, scheduling, MSW/waste/fuel definitions and other topics. A complete meeting agenda is included as attachment 1.
- The meeting was held on February 5, 1998 in Orlando, Florida.
- A complete list of meeting attendees (with their affiliations) is included as attachment 2.

2.0 SUMMARY OF DISCUSSION AND DECISIONS

The meeting discussion generally followed the agenda. Topics of conversation are summarized in the following sections:

2.1 Incinerator Work Group Membership
2.2 Upcoming Milestones
2.3 ICCR Database Updates
2.4 Report from Economics Analysis Work Group
2.5 Miscellaneous Topics
2.6 Subteam Reviews
2.7 Action Items

2.1 Incinerator Work Group Membership

- Rick Crume, the EPA Co-chair, provided an update on Work Group members who have attended fewer than 50% of the meetings. He reported that Leigh Ing, Raimund Müller, Gregory Schwall and Ross Ragland have requested that their names be withdrawn from the membership list. He has been unable to reach Ann Jackson.

- Several Work Group members expressed concern that the members with poor attendance records have not been assigned to any of the subteams. It was suggested that those members interested in retaining membership should be contacted to discuss their assignment to a subteam and ways in which they may become more involved in the ICCR process.

2.2 Upcoming Milestones

- Rick Crume presented a chart entitled "Where do we go from here?", which is included as attachment 3. He also discussed a table showing Milestone Dates relevant to the work of the IWG. The table, included as attachment 4, shows the original milestone dates from the ICCR Guidance Document, along with the dates he believes must be met for the Work Group to stay on schedule. He pointed out that emission testing will take six to nine months to complete and must be started by early summer. Dick Van Frank of National Audubon Society asked if there are methods to accelerate the testing process or if other methods for filling data gaps, such as consulting peer reviewed literature, may be used. While no members suggested methods to speed up the testing itself, many did agree that it may be useful to use peer reviewed literature to help determine the type of testing necessary.

- Rick Crume provided guidance on the Regulatory Alternative Paper (RAP), a draft outline (attachment 5) of which will be presented at the next Coordinating Committee meeting. He stressed that, at a minimum, the RAP should include information on subcategories and any groupings within subcategories, the pollutants being considered and applicable control technologies.

- Rick Crume suggested an approach for defining the applicability of the solid waste incineration rule (attachment 6). He discussed the need to consider all combustion units burning less than 30% municipal solid waste or less than 10% hospital/medical waste. These units can be added to the Work Group's Miscellaneous Units Subcategory for further consideration.

2.3 ICCR Database Status Update

- Tom Waddell of Eastern Research Group offered an update on the ICCR Inventory Database. Version 3 will be released on February 18. This version will

contain additional information from state and government sources, as well as corrections suggested by Work Group members to the original data. The new release will be available for purchase on CD-rom, or it can be downloaded from the TTN.

- Tom Waddell also discussed the latest version of the Survey Database, which will be released at the end of February. The newest version accurately presents the information in the survey responses without the errors found in the initial version. A third version containing changes suggested by the Work Groups will be available in April. By the end of July, a final version containing the surveys received after the second survey mailing is expected.

- Tom Waddell also outlined the progress being made on the Emission Test Database. A third version will be released at the end of March. The test reports that are requested from ICR Survey respondents by Work Groups will be included in Version 4 of the database.

2.4 Report from Economics Analysis Work Group

- Tom Walton and Mike Gallaher of the Economics Analysis Work Group presented a report on the Work Group's data development and analysis schedule. They discussed the activities of the Economic Analysis Work Group and the information needed from the Source Work Groups.

- Work Group members questioned Mr.Walton and Mr.Gallaher about the differences between the information that the Source Work Groups can provide and the information needed by the Economics Analysis Work Group. The IWG will be addressing only model incinerator impacts, whereas the Economics Analysis Work Group needs information upon which to base national impact analyses for the entire ICCR process. Mr. Walton requested that the Work Group provide information on only the combustion units evaluated and the model incinerators associated with these units. The Economics Analysis Work Group will then reconcile that information with any they may receive from the other Source Work Groups.

- Each subteam chose a person to meet via teleconference with the Economic Analysis Work Group to continue discussing the economic analysis process. The representatives chosen are:

  Subteam 1 - Wayne Elliott
  Subteam 2 - Norm Morrow
  Subteam 3 - Bill Perdue
  Subteam 4 - Kay Rykowski

2.5 Miscellaneous Topics

- Rick Crume reminded the Work Group that EPA staff have decided to work on developing regulations for Small MWCs in conjunction with the ongoing effort for Medium MWCs. The IWG is free to consider these units under the ICCR, but EPA staff have decided that its resources are best spent by concentrating on Small and Medium MWCs separately from the ICCR. Dick Van Frank expressed concern with the idea of EPA handling the issue exclusively. The Work Group agreed that coordination between the MWC MACT and the ICCR IWG would be helpful. This coordination would be especially useful in allowing the Work Group to learn from the experiences of the EPA MWC staff. Rick Crume agreed to schedule a teleconference between Walt Stevenson of EPA, who is working on the MWC MACT, and the IWG to discuss the best mechanism for coordination between the two groups. Once decided, this mechanism will be presented as a suggestion to the Coordinating Committee.

- Jeff Shumaker of International Paper reported that the Solid Waste Definition Subgroup has had no more meetings. EPA has been given the recommendations of the Subgroup and a decision is expected by the next Coordinating Committee meeting on February 24 and 25. Mr. Shumaker requested that EPA post their decision to the TTN for review prior to the meeting.

- Beth Berglund of Merck & Co. discussed the progress made by the Pollution Prevention Subgroup. They have broken the Subgroup into three teams involved with examining the three areas of pollution prevention: those dealing with input, the device, and output. The Subgroup is currently compiling information to answer the question, "What is pollution prevention?"

- Norm Morrow of Exxon Chemical Americas reported that the Boiler Work Group has agreed to coordinate their efforts on issues held in common with the IWG. Representatives of the IWG have time on the agenda of the next Boiler Work Group meeting to offer an overview of these issues.

- Rick Crume asked the Work Group if more expertise was necessary to complete their task. Two subteams responded that additional assistance will be required as the work progresses and asked if EPA needs to be consulted before soliciting this help. Mr. Crume responded that EPA must contact ICR Survey respondents, but the subteams are otherwise allowed to request expertise and other data on their own. Dave Maddox of Stanley Furniture Company said that his subteam found information from outside experts and trade associations to be very helpful.

2.6 Subteam Reviews

- Subteam 1 reported that they continue to receive data from manufacturers as part of their data collection effort. They are also reviewing Survey Database data to determine which source emission tests would be useful. By the end of the month,

they expect to have a list of sources from which they would like EPA to request data.

- Subteam 1 related their modifications to their general unit description and basis for subcategory bounds. The new general unit description is:

  "These combustors are generally single or multiple chamber (in-line or retort design). They are fueled with fossil fuel and operate with excess air. The wastes, consisting of at least 90% by mass pathological waste, are fed as single batches or intermittently fed. Typically these combustors have no add-on emission control devices."

  The current Basis for Subcategory Bounds is:

  "Pathological waste incinerators and crematory incinerators are similar enough with regards to input and, presumably, emissions output that separate subcategorization is not warranted at this time. As regulation development proceeds, it may be beneficial to make subdivisions based on size or other criteria."

- Subteam 2 discussed the work done with their four subcategories. The subteam currently believes that two of the subcategories, Halogenated Off-Gases and Landfill Gas Flares, should be considered under the MACT standards regulating specific processes or industries. The remaining subcategories proved to be similar enough to each other to be grouped together. The Subteam expects to complete data analysis and produce a test plan for missing data by the March meeting.

- Subteam 2 is currently using two parallel paths to approach the MACT floor. The subteam is utilizing the data from the ICCR Inventory Database to calculate the MACT floor. In addition, the subteam is also using information about state permits and regulations to determine floors.

- Subteam 3 presented their data analysis and stated that they had found few units burning wood as the primary purpose. The subteam determined the primary purpose of a unit by calculating the annual masses of the wastes burned and considering the waste burned most to the be the primary waste.

- Subteam 3 also reported that they have decided which emission tests they would like EPA to obtain. In addition, they have developed model plants for their data population using the model plant methodology from the Medical Waste Rule as a guide.

- Subteam 4 provided EPA with a list of facilities from which they would like copies of test reports. The list came from units found in the Inventory Database. The subteam also identified an emissions data gap for PVC pyrolysis units, where emission testing may be required.

2.7 Action Items

- Rick Crume will contact the remaining Work Group members who have attended fewer than 50% of the meetings to discuss their assignment to a subteam and ways in which they may become more involved in the ICCR process.

- The subteams will look at the list provided by Rick Crume of facilities with HAP emission test data and decide which test reports would be helpful to obtain.

- Rick Crume will schedule a teleconference with Walt Stevenson and interested members of the IWG to discuss methods of coordination between the Small MWC MACT and IWG in order to take advantage of any lessons learned in the process of writing the MWC MACT.

- Norm Morrow and Rick Crume will compile the Coordinating Committee status report for posting to the TTN prior to the Coordinating Committee meeting to be held in February.

- The subteams should try to identify data gaps and develop model plants and MACT floors for presentation at the March Work Group meeting.

- Rick Crume will schedule the teleconference with the Economics Analysis Work Group.

3.0 UPCOMING MEETINGS

- March 11 and 12: Subteam and Work Group meetings in Durham, North Carolina.

- April 7: Work Group meeting in Washington, DC.

- May 27 and 28: Subteam and Work Group meetings in Research Triangle Park, North Carolina.

ICCR INCINERATOR WORK GROUP MEETING
February 5, 1998, Sheraton Four Points Hotel
Orlando, Florida

Activities and Decisions

- Rick Crume of EPA provided an update on Work Group members who have attended fewer than 50% of the meetings. He reported that Leigh Ing, Raimund Müller, Gregory Schwall and Ross Ragland have requested that their names be withdrawn from the membership list.

- Rick Crume presented a chart of Milestone Dates relevant to the work of the Incinerator Work Group. The chart showed the original milestone dates from the ICCR Guidance Document along with the dates he believes must be met for the Work Group to stay on schedule.

- Rick Crume provided ongoing guidance with respect to the Regulatory Alternatives Paper and discussed the applicability of the Solid Waste Incineration Rule. The draft outline of the Regulatory Alternatives Paper will be presented at the next Coordinating Committee meeting.

- Tom Waddell of Eastern Research Group offered an update on the three ICCR databases:

  - The third version of the Inventory Database which includes new information from various sources, as well as changes to the original data as suggested by the Work Groups, will be available on the TTN February 18.

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- The second version of the Survey Database will be available at the end of February, and a version including Work Group changes will be available in April.

- Version three of the Emission Test Database is expected by the end of March, after which a fourth version including the test reports requested from ICR respondents by the Work Groups will be compiled.

- Tom Walton and Mike Gallaher of the Economics Analysis Work Group presented a report on the Work Group's data development and analysis schedule. They discussed the activities of the Economic Analysis Work Group and the information needed from the Source Work Groups.

- Beth Berglund of Merck & Co. discussed the progress made by the Pollution Prevention Subgroup. They have broken the Subgroup into three teams involved with examining the three areas of pollution prevention, those dealing with input, the device, and output. The Subgroup is currently compiling information to answer the question, "What is pollution prevention?"

- Norm Morrow of Exxon Chemical Americas reported that the Boiler Work Group has agreed to coordinate their efforts on issues common with the Incinerator Work Group. Representatives of the Incinerator Work Group have time on the agenda of the next Boiler Work Group meeting to offer an overview of these issues.

- Subteam 1 reported that they continue to receive data from manufacturers as part of their data collection effort. They also have data from the Survey Database

that they will use to request emission data. The Subteam has also decided to modify their general description as well as the basis for subcategory bounds.

- Subteam 2 discussed the work done with their four subcategories. The Subteam currently believes that two of the subcategories, Halogenated Off-gases and Landfill Gas Flares, should be considered under the MACT related to the process or industry producing them. The remaining subcategories proved to be similar enough to each other to be grouped together. They are currently using two parallel paths to approach the MACT floor. The Subteam expects to complete data analysis and produce a test plan for missing data by the March meeting.

- Subteam 3 presented their data analysis and stated that they have decided which emission tests they would like EPA to obtain. The Subteam has developed model plants for their data population using model plant methodology from the Medical Waste Rule as a guide.

- Subteam 4 provided a list of units for which emission data are needed, and mentioned that further emission testing may be needed for PVC pyrolysis units.

- Each subteam chose a person to meet via teleconference with the Economic Analysis Work Group. The representatives chosen are:

  Subteam 1 - Wayne Elliott
  Subteam 2 - Norm Morrow
  Subteam 3 - Bill Perdue

Subteam 4 - Kay Rykowski

Upcoming Meetings

- The current Work Group meeting schedule is as follows:

  - March 11 and 12: Subteam and Work Group meetings scheduled for Durham, North Carolina.

  - April 7: Work Group meeting scheduled in Washington, DC.

  - May 27 and 28: Subteam and Work Group meetings scheduled in Research Triangle Park, North Carolina.

Action Items

- Rick Crume will contact the Work Group members who have attended fewer than 50% of meetings to discuss their assignment to a subteam and ways in which they may become more involved in the ICCR process.

- The subteams will look at the list provided by Rick Crume of facilities with HAP emission test data and decide which test reports would be helpful to obtain.

- Rick Crume will schedule a teleconference with Walt Stevenson and interested members of the Incinerator Work Group to discuss methods of coordination between the Very Small MWC MACT and ICCR in order to take advantage of any lessons learned in the process of writing the MWC MACT.

- Norm Morrow and Rick Crume will compile the Coordinating Committee status report for posting prior to the Coordinating Committee meeting to be held in February.

- The subteams should be working toward the identification of data gaps and the development of model plants and the MACT floor for presentation at the March Work Group meeting.

- Rick Crume will schedule the teleconference with the Economics Analysis Work Group.

ATTACHMENT 1

FINAL AGENDA
ICCR INCINERATOR WORK GROUP

AGENDA
INCINERATOR WORK GROUP MEETING

February 5, 1998
8:00 am to 4:30 pm, Logan and O'Hare Rooms
Sheraton Four-Points Hotel
(Formally Howard Johnsons - Orlando)
Orlando, FL

MEETING OBJECTIVES

- Discuss subteam progress with respect to subcategory definitions, ICR and emissions data review, model plants, and floors.

- Prepare status report presentation for February CC meeting in Winston-Salem, NC

- Discuss guidance on model plants, economics analyses, the RAP, scheduling, MSW/waste/fuel definitions, and other topics.

Note: The Logan and O'Hare rooms have been reserved for our use on February 4, from 8am to 9pm. Any subteams electing to meet on the 4th are welcome to use these rooms. Complimentary refreshments provided by the hotel (no charge to EPA) will be available inside these rooms during the afternoon for all IWG members.

AGENDA

8:00 am Call to order and welcome -- *Rick Crume*
Approval of agenda -- *Scott Warner*
Review of meeting objectives -- *Norm Morrow*

8:10 am Announcements and updates -- *Rick Crume*

8:20 am Where do we go from here? -- *Rick Crume*

Where are we now/where do we need to be?
Overview of scheduling needs
Obtaining test reports and scheduling testing
Regulatory Alternatives Plan (RAP) outline and guidance
MSW/waste/fuel definitions
Other guidance and discussion

9:15 am ICR and inventory database updates -- *Tom Waddell*

ICR status, updates, and issues
Test reports
Inventory and emissions database status
Future updates, corrections, and versions

9:30 am BREAK

9:45 am Report from Economics Analysis Work Group

10:30 pm Miscellaneous topics

Solid waste definition update -- *Dick Van Frank and Jeff Shumaker*
Pollution prevention support group update -- *Bob Morris, Beth Berglund, and Ed Repa*
Boiler Work Group coordination update -- *Dick Van Frank, Norm Morrow, and Rick Crume*
Subteam structure and member participation -- *Group*
Need for recruitment of additional expertise -- *Group*

11:30 am SUBTEAM HUDDLES AND LUNCH
(The *Flyers Lounge* has been reserved for subteam huddles)

2:00 pm Subteam progress reports -- *Subteam Leaders*

Definitions and model plant parameters
Emissions data -- what do we have/need?
Review of ICR and identification of testing needs
Issues, needs, and concerns

3:15 pm BREAK

3:30 pm Coordinating Committee status report planning -- *Norm Morrow*

4:15 pm Wrap-up

Scheduling of future meetings/teleconferences -- *Norm Morrow*
Other business -- *Group*
Flash minutes -- *Susan Radomski*

4:30 pm Adjourn -- *Rick Crume*

ATTACHMENT 2

MEETING PARTICIPANTS

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Meeting Participants

Name	Affiliation
Ethan Begg	Missouri Department of Natural Resources
Beth Berglund	Merck & Co, Inc.
Richard Copland	U.S. EPA/OAQPS
Andy Counts	American Furniture Manufacturers Association
Richard Crume	U.S. EPA/OAQPS
John Devine	U.S. EPA/OGC
Wayne Elliott	Central Georgia Ancillary Health Services, Inc.
Doug Finan	GlaxoWellcome, Inc.
John Greiwe	Batesville Casket Company
Dave Maddox	Stanley Furniture Company
Ruth Mahr	Citizens Concerned about Medical Waste Incineration
David Marrack	Galveston-Houston Assoc. for Smog Prevention
Bob Morris	The Coastal Corporation
Norman Morrow	Exxon Chemical Americas
Khalid Muslih	The Coastal Corporation
Bill Perdue	Pulaski Furniture Corporation
Susan Radomski	Eastern Research Group, Inc.
Paul Rahill	Industrial Equipment and Engineering Company
Ed Repa	National Solid Wastes Management Association
Andrew Roth	Regional Air Pollution Control Agency (Ohio)
Kay Rykowski	Stillwater Technologies
Jeff Shumaker	International Paper
Larry Thompson	Cornell University College of Veterinary Medicine
Dick Van Frank	National Audubon Society
Tom Waddell	Eastern Research Group
Scott Warner	Eastern Research Group
Ed Wheless	Los Angeles County Sanitation District
Bill Wiley	Consumat Systems, Inc.

ATTACHMENT 3

FLOW CHART OF UPCOMING MILESTONES

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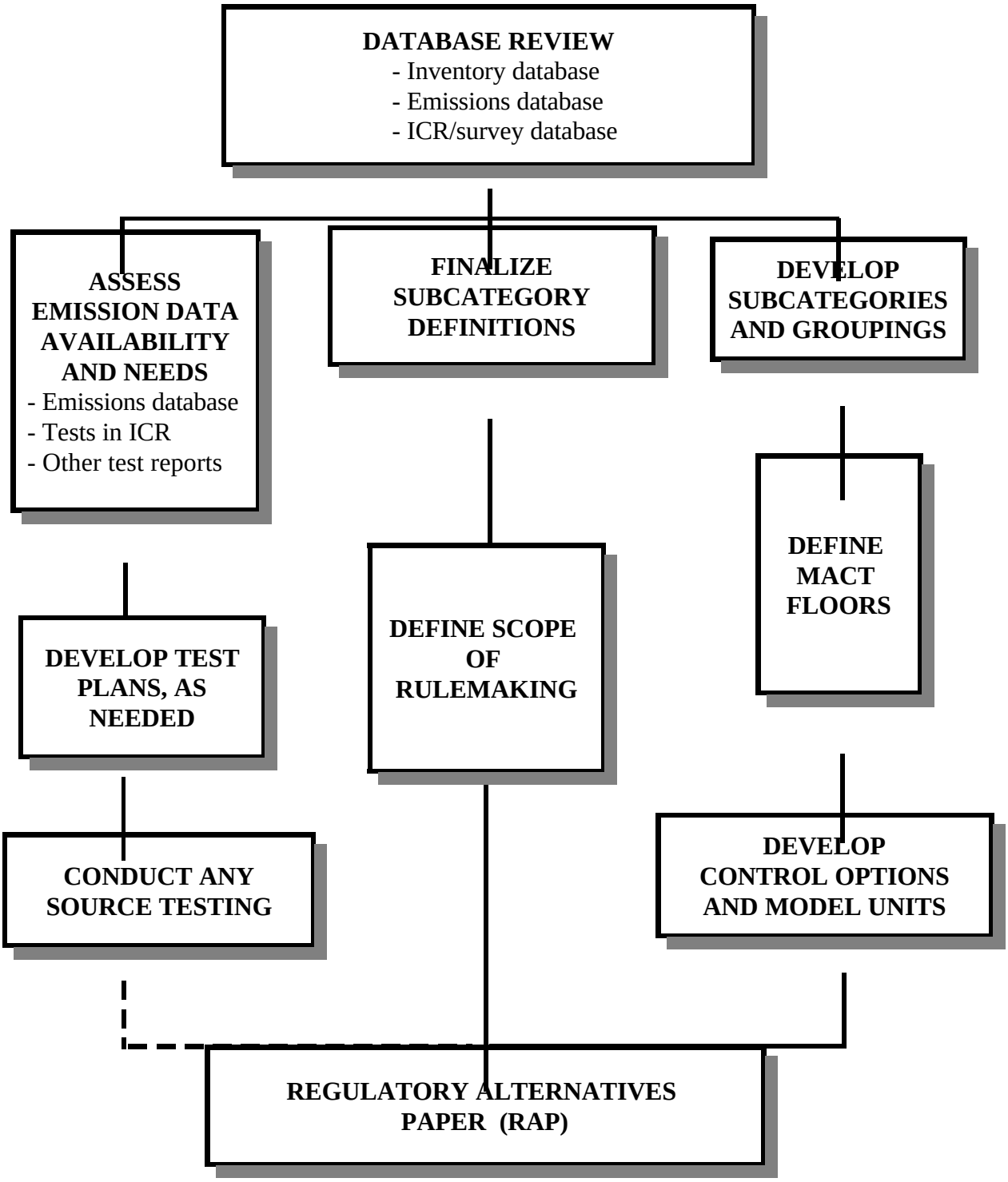
WHERE DO WE GO FROM HERE?



ATTACHMENT 4

MILESTONE DATES RELEVANT TO WORK OF IWG

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MILESTONE DATES RELEVANT TO WORK OF IWG

— Draft Prepared by Rick Crume for Work Group Discussion —

MILESTONE	DATE IN ICCR GUIDANCE DOCUMENT	ICWI CONSENT DECREE DATE	DATES NEEDED TO KEEP ON SCHEDULE
Summarize available data, determine **data gaps**, and develop approach to fill data gaps	May to July 1997	nds*	Feb. 1998
Collect **additional data** to fill data gaps	July to Sept. 1997	nds	April 1998
Make preliminary **MACT floor** determinations and identify **preliminary regulatory alternatives** for each source category	Sept. 1997	nds	May 1998
Begin test program	nds	nds	June 1998
IWG prepares draft **regulatory alternatives paper** (RAP)	nds	nds	July 1998
Revise **MACT floor** calculations and recommendations	Nov. 1997	nds	Aug. 1998
Analyze **impacts of regulatory alternatives** for each source category	Oct. 1997 to Feb. 1998	nds	Sept. 1998
Develop **preliminary regulatory recommendations** on which regulatory alternative to select for each source category	March 1998	nds	Oct. 1998
EPA submits regulatory alternatives **"white paper"** to litigants	nds	Nov. 1998	Nov. 1998
Overall **regulatory alternatives** and **cross-category trade-offs** identified	April 1998	nds	Nov. 1998

MILESTONE DATES RELEVANT TO WORK OF IWG

— Draft Prepared by Rick Crume for Work Group Discussion —

Perform overall **economic impacts and benefits analysis** considering interactions among source categories	April to Aug. 1998	nds	Dec. 1998
Complete test program	nds	nds	Jan. 1999
Source Work Groups make recommendations to Coordinating Committee on which **regulatory alternative** to select for each source category	Sept. 1998	nds	Feb. 1999
Coordinating Committee presents **regulatory recommendations** to EPA management and identifies issues requiring decisions	Nov. 1998	nds	Feb. 1999
Decision on **which regulatory alternatives** to propose for each category (EPA)	Dec. 1998	nds	March 1999
Draft **recommended proposal package** (preambles and regulations) and present to EPA management	Jan. to March 1999	nds	May 1999
Draft **proposal package** (EPA)	April to May, 1999	nds	June 1999
EPA **management review** of EPA package (EPA)	June 1999	nds	July 1999
OMB review of EPA package (OMB)	July to Sept. 1999	nds	Aug. 1999
Signature and **proposal** (EPA)	Oct. 1999	Nov. 1999	Nov. 1999
Public comment period	Nov. to Dec. 1999	nds	Jan. 2000
Summarize public comments	Jan. to March 2000	nds	April 2000

MILESTONE DATES RELEVANT TO WORK OF IWG

— Draft Prepared by Rick Crume for Work Group Discussion —

Coordinating Committee presents **regulatory recommendations** to EPA management on major issues/possible changes to the regulations	April 2000	nds	May 2000
Draft **recommended responses** to comments (EPA)	April to June 2000	nds	July 2000
Draft promulgation packages (preambles, regulations, background documents) (EPA)	May to July 2000	nds	Aug. 2000
EPA management **review** (EPA)	July 2000	nds	Aug. 2000
OMB review of EPA package (OMB)	Aug. to Oct. 2000	nds	Sept. 2000
Signature and **promulgation** (EPA)	Nov. 2000	Nov. 2000	Nov. 2000

*nds = no date specified.

ATTACHMENT 5

DRAFT OUTLINE REGULATORY ALTERNATIVES PAPER

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DRAFT OUTLINE
REGULATORY ALTERNATIVES PAPER

Rick Crume
January 14, 1998

FORMAT: Transmittal letter and attached paper with appendix, two-sided, single-spaced, times new roman, 12 pt.

Transmittal Letter *(one page) — John Devine*

1.0 INTRODUCTION *(one to two paragraphs) — Rick Crume*

- **#** Brief introduction to the ICCR and the IWG (figure of ICCR organization).
- **#** Purpose and organization of this document.
- **#** (Explain that the RAP represents an intermediate step in the standards development process and work continues.)

2.0 BACKGROUND *(three to four paragraphs) — Rick Crume*

- **#** Review of approach taken to develop regulatory alternatives and progress made to date (figure of subteam organization).
- **#** Overview of anticipated regulatory framework, including distinction between ICWI and OSWI (figure of potential regulatory structure).
- **#** Brief review of evolution of solid waste definition.
- **#** (Explain that some subcategory and regulatory alternative characterizations are incomplete and that revisions and refinements will continue as new information is received (e.g., from source tests); specific needs and issues will be summarized in the subcategory characterizations presented below.)

3.0 APPLICABILITY *(two or three paragraphs) — Rick Crume and Jim Eddinger*

- **#** Subcategories and any groupings within subcategories (list or table).
- **#** Applicability to miscellaneous wastes (e.g., <30% MSW, <10%HMIW, and any undefined or unknown wastes).
- **#** Restatement of what is not covered (e.g., RCRA, MWC, and HMIWI units).
- **#** Basis for deciding which boilers and process heaters to include.

4.0 SUBCATEGORY CHARACTERIZATIONS AND REGULATORY ALTERNATIVES *(separate one- to two-page summary sheets for each subcategory or subcategory grouping) — IWG subteams/BWG subgroups*

- **#** Characterizations and alternatives to be summarized in an appendix, with a separate summary sheet for each subcategory or subcategory grouping.
- **#** The information in the appendix will be summarized in a table (see attached example) — *Rick Crume and Jim Eddinger.*

5.0 ISSUES AND NEEDS *(several paragraphs) — Norm Morrow and Jim Stumbar*

- **#** Summary of the issues and needs that we are facing (e.g., lack of emissions test data for some subcategories), the steps we are taking to address these issues and needs, and any possible delays to our schedule.
- **#** (This section will ensure that everyone understands the challenges we face in developing standards for a large number of subcategories over a short time period with incomplete data and emission testing results not yet available.)

6.0 STEPS TAKEN TO IMPLEMENT STATUTES AND EXECUTIVE ORDERS *(several paragraphs) — John Devine*

- **#** Review of the steps being taken by the IWG and/or the CC to address the various statutes and executive orders, including provisions covering pollution prevention, environmental justice, public participation, and small business impacts.
- **#** (This section will ensure that everyone up and down the line within EPA and the ICCR is aware of the steps we are taking to implement the statutes and EOs. If there are any problems with our approach, we want to learn about them far enough in advance of proposal to make adjustments.)

EXAMPLE SUBCATEGORY CHARACTERIZATION AND REGULATORY ALTERNATIVES SUMMARY TABLE

SUBCATEGORY	GROUPING	WASTE	ICWI or OSWI	FLOOR LEVEL OF CONTROL	ALTERNATIVES ABOVE FLOOR	POLLUTANTS TO BE REGULATED	COMMENTS
Whozit Industry	Small whozits (smaller than 5 ton/day)	Waste whozit trimings	ICWI	No control	1. Good operating practices 2. Cyclone 3. Venturi scrubber	Section 129 pollutants	Discussions with equipment vendors and manufacturers underway to investigate more cost-effective control options
”	Large whozits (greater than 5 ton/day)	Waste whozit trimings	ICWI	Good operating and mainten-ance practices	1. Cyclone 2. Venturi scrubber 3. Spray dryer	Section 129 pollutants	Conclusions regarding control options may be revised once emission test program is completed

SUBCATEGORY INFORMATION SHEET FOR RAP APPENDIX

FORMAT: A separate sheet is to be prepared for each subcategory or subcategory grouping. The sheets are intended to closely follow the format already established for our subcategory definitions. However, additional information will need to be added to our existing format to address the requirements of the RAP, as noted below (new information is underlined.) The sheets will probably be about two pages in length and may include tables and/or figures. Database summary tables (summaries of inventory, emissions, and ICR/survey database information) incorporated with the current definitions should be retained and can be placed under the STATUS OF DATA COLLECTION AND ANALYSIS category. An advantage of retaining, but expanding, the current subcategory definition format is that portions of the expanded format could form the basis of the subcategory description sections to be incorporated into a background information document that will probably be needed to support the rulemaking.

SUBCATEGORY NAME:

ASSIGNED CAA SECTION (ICWI OR OSWI):

GROUPING WITHIN SUBCATEGORY:

POPULATION STATISTICS:

MATERIAL COMBUSTED:

COMBUSTION DEVICE:

BASIS FOR SUBCATEGORY BOUNDS:

POLLUTANTS CONSIDERED FOR REGULATION:

FLOOR LEVEL OF CONTROL:

REGULATORY ALTERNATIVES ABOVE FLOOR:

STATUS OF DATA COLLECTION AND ANALYSIS:

ISSUES AND NEEDS:

OTHER COMMENTS:

ATTACHMENT 6

APPLICABILITY OF THE SOLID WASTE INCINERATION RULE

APPLICABILITY OF THE SOLID WASTE INCINERATION RULE

— Some Suggestions From Rick Crume for Work Group Discussion —

A suggested approach for defining the applicability of the solid waste incineration (i.e., ICWI/OSWI) rule is summarized in the attached table. Using this approach, the applicability and definitions section of the solid waste incineration rule for new sources might look something like the following (using *EPA's new Plain English* guidelines):

Subpart [?] -- Standards of Performance for Solid Waste Incineration Units for Which Construction is Commenced After [date]

Section [?] Am I subject to this regulation?

(a) Except as provided in paragraph (b) of this section, the affected facility to which this subpart applies is each individual Solid Waste Incineration Unit for which construction or reconstruction is commenced after [date] or for which modification is commenced after [date].

(b) The following facilities are not subject to this subpart:

(1) Any incinerator or other unit required to have a permit under section 3005 of the Solid Waste Disposal Act.

(2) Any materials recovery facility (including primary or secondary smelters) which combusts waste for the primary purpose of recovering metals.

(3) Any qualifying small power production facility, as defined in section 3(17)(C) of the Federal Power Act (16 U.S.C. 769(17)(C)), or qualifying cogeneration facilities, as defined in section 3(18)(B) of the Federal Power ACT (16 U.S.C. 796(18)(B)), which burn homogeneous waste (such as units which burn tires or used oil, but not including refuse-derived fuel) for the production of electric energy or, in the case of qualifying cogeneration facilities, which burn homogeneous waste for the production of electric energy and steam or forms of useful energy (such as heat) which are used for industrial, commercial, heating, or cooling purposes.

(4) Any air curtain incinerator that burns only wood wastes, yard wastes, and clean lumber and that complies with the opacity limitations in subpart [?].

(5) Any incinerator or other unit which meets the applicability requirements under subpart Cb, Ce, Ea, Eb, or Ec of this part (i.e., standards or guidelines for certain municipal waste and hospital and medical infectious waste incinerators).

Sec. xxx How are the terms used in this subpart defined?

[The following definitions are provided to illustrate the format and applicability of the regulation. Most, if not all, of these definitions will be revised as data analysis continues. Additionally, some definitions may be deleted and new definitions may be added as subcategories are fully defined.]

Agricultural Incinerator means an Incinerator combusting Solid Waste comprised, in aggregate, of more than [number] percent by weight, as measured on a calendar quarter basis, of vegetable matter from facilities such as agricultural research facilities, farms, stables, oil seed plants, grain handlers, biomass facilities, and nurseries.

Air Curtain Incinerator an Incinerator that operates by forcefully projecting a curtain of air across an open chamber or pit in which burning occurs; Incinerators of this type can be constructed above or below ground and with or without refractory walls and floor.

Boiler means an enclosed device using controlled flame combustion and having the primary purpose of recovering and exporting thermal energy in the form of steam or hot water.

Chemical, Petroleum, and Pharmaceutical Solid Waste Incinerator means an Incinerator combusting Solid Waste comprised, in aggregate, of more than [number] percent by weight, as measured on a calendar quarter basis, of industrial wastewater sludges, off-test and out-dated materials, and process discards, and associated packaging materials.

Commercial and Industrial Solid Waste Incineration Units means the following types of Solid Waste Incineration Units: Chemical, Petroleum, and Pharmaceutical Solid Waste Incinerators; Drum Reclaimer Incinerators; and Miscellaneous Solid Waste Boilers, Miscellaneous Solid Waste Incinerators; Parts Reclaimer Incinerators; and [Type] Boilers

Construction, Demolition, and Treated Wood Waste Incinerator means an Incinerator combusting Solid Waste comprised, in aggregate, of more than [number] percent by weight, as measured on a calendar quarter basis, of materials associated with the construction, remodeling, and repairing of residences, commercial buildings, and other structures, for example, pallets; paper; cardboard; shingles; tar-based products; plastics; plaster; wallboard; insulation materials; white goods; reinforcing steel; plumbing, heating, and electrical parts; and forming, framing, painted, treated, and contaminated lumber.

Drum Reclaimer Incinerator means an incinerator used to reclaim or recycle steel containers (often 55 gallon drums) by burning out the drum coating and any container residues.

Incinerator means a device that combusts Solid Waste and is not a Boiler or Process Heater.

Miscellaneous Solid Waste Boiler means any Solid Waste Incineration Unit that is a Boiler and is not covered by the other types of Commercial and Industrial Solid Waste

Incineration Units and Other Solid Waste Incineration Units defined under this subpart and is not exempted from coverage under paragraph (b) of this subpart.

Miscellaneous Solid Waste Incinerator means any Solid Waste Incineration Unit that is an Incinerator and is not subject to the other types of Commercial and Industrial Solid Waste Incineration Units and Other Solid Waste Incineration Units defined under this subpart and is not exempted from coverage under paragraph (b) of this subpart. [Note: separate definitions will probably be needed for ICWI vs. OSWI miscellaneous solid waste incinerators.]

Other Solid Waste Incineration Units means the following types of Solid Waste Incineration Units: Agricultural Incinerators; Construction, Demolition, and Treated Wood Waste Incinerators; Paper and Allied Product Wastes and Residues Incinerators; Pathological Incinerators; and [type] Boilers.

Paper and Allied Product Wastes and Residues Incinerator means an Incinerator combusting Solid Waste comprised, in aggregate, of more than [number] percent by weight, as measured on a calendar quarter basis, of wastes and residues resulting from the manufacture of paper, the conversion of paper and paperboard, and the manufacture of paperboard boxes and containers.

Parts Reclaimer Incinerator means an Incinerator used to reclaim metal parts such as paint hooks and racks, electric motor armatures, transformer winding cores, and electroplating racks by burning off an organic, plastic, or rubber coating or part.

Pathological Incinerator means an Incinerator combusting Solid Waste comprised, in aggregate, of more than [number] percent by weight, as measured on a calendar quarter basis, of human and animal remains, anatomical parts, tissues, bags and containers used to collect and transport the waste material, and animal bedding.

Process Heater means an enclosed device using controlled flame having the primary purpose of transferring heat to an industrial or commercial process.

Solid Waste means ... [definition to be established by EPA].

Solid Waste Incineration Unit means a distinct operating unit of any facility which combusts any Solid Waste material from commercial or industrial establishments or the general public. [Note that this definition from section 129(g)(1) appears to apply to boilers and process heaters as well as incinerators.]

[Type] Boiler means ...

WASTE DESCRIPTION	RULE APPLICABILITY				COMMENTS
	MUNICIPAL WASTE COMBUSTOR (MWC) RULE	HOSPITAL AND MEDICAL INFECTIOUS WASTE INCINERATION (HMIWI) RULE	FUTURE RULE ADDRESSING SOLID WASTE INCINERATION UNITS, INCLUDING SOLID WASTE BOILERS		
			Source-Specific Categories	Misc. Categories	
Municipal solid waste (MSW)	Rule applies to units combusting > 30 percent MSW	N/A	N/A	Greater than some percent and ≤ 30 percent MSW	Applies to the combustion of residential, commercial, and institutional solid wastes and non-manufacturing industrial discards.
Hospital and medical infectious waste (HMIW)	N/A	Rule applies to units combusting > 10 percent HMIW	N/A	Greater than some percent and ≤ 10 percent HMIW	Applies to the combustion of: (1) discards generated at a hospital, except unused items returned to the manufacturer and human corpses, remains, and anatomical parts intended for interment or cremation; and (2) any waste generated in the diagnosis, treatment, or immunization of human beings or animals, in research pertaining thereto, or in the production or testing of biologicals. Exemptions include pathological, low-level radioactive, and chemotherapeutic wastes; pyrolysis units; and cement kilns firing hospital and/or medical/ infectious waste.

WASTE DESCRIPTION	RULE APPLICABILITY				COMMENTS
Exempt from Section 129	N/A	N/A	N/A	N/A	(1) Any incinerator or other unit required to have a permit under section 3005 of the Solid Waste Disposal Act. (2) Any materials recovery facility (including primary or secondary smelters) which combusts waste for the primary purpose of recovering metals. (3) Any qualifying small power production facility, as defined in section 3(17)(C) of the Federal Power Act (16 U.S.C. 769(17)(C)), or qualifying cogeneration facilities, as defined in section 3(18)(B) of the Federal Power Act (16 U.S.C. 796(18)(B)), which burns homogeneous waste (such as units which burn tires or used oil, but not including refuse-derived fuel) for the production of electric energy or in the case of qualifying cogeneration facilities which burn homogeneous waste for the production of electric energy and steam or forms of useful energy (such as heat) which are used for industrial, commercial, heating, or cooling purposes. (4) Any air curtain incinerator that burns only wood wastes, yard wastes, and clean lumber and that complies with the opacity limitations in subpart [?].
Commercial and industrial solid wastes	N/A	N/A	Greater than some percentage to be deter-mined on a source category basis	Less than some percentage, plus all other solid wastes not otherwise covered	Applies to all other solid wastes and combinations of solid wastes not covered by the MWC or HMIWI rules or exempted from coverage under section 129. Note that combustion units at industrial sites combusting > 30% MSW-type wastes (i.e., non-manufacturing discards such as garbage, waste paper, and cardboard) are covered under the MWC rule.

N/A = not applicable.